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April 24, 2007

REPORT OF THE COMMITTEE ON LEGISLATIVE MATTERS
MEETING IN JOINT SESSION WITH THE LICENSING COMMISSION

The Committee on Legislative Matters convened in Joint Session with the Licensing Commission on April 24, 2007 with Chairman Thomas Taylor presiding and Committee Members Aldermen Rebekah Gewirtz and William Roche also present and voting. Also present were Vito Vacarro, John McKenna, Andrew Upton and Joanne Burke from the Licensing Commission, City Solicitor John Gannon and interested members of the public.

The meeting was held to conduct a public hearing regarding a Home Rule Petition relative to liquor licenses.

Mr. Gannon addressed the members and explained that the petition would allow the city to grant an additional 10 “all forms” liquor licenses for used at Assembly Square. These licenses are non-transferable and cannot be transferred outside of the designated area and, when no longer used by the license holders, they would revert to the city. The petition would also allow the city to grant an additional 10 “beer & wine” licenses. The Licensing Commission would control the disposition of all 20 licenses. The maximum number of licenses at Assembly Square would be 10 and there is no time restriction for granting them. These would be issued citywide and would be non-transferable. Even with these 20 new licenses, the city would still be below the quota established by the state. The petition is being brought forward to help in achieving the vision of Assembly Square as a place where people can work, live and relax.

Speaking for:

Mr. Ray Zonghetti spoke on behalf of the Chamber of Commerce and said that by issuing additional licenses, the value of current licenses would be lessened. He said that consideration should be given to local business people who might want to develop at Assembly Square, rather than simply granting them to large chains. The Chamber supports the petition.

Mr. Wig Zamore asked the members to consider that with retail, there is an associated cost for public safety. He also noted that there are provisions in Federal Realty’s settlement that efforts would be made to get local businesses involved.

There were no speakers against the petition.

There was a discussion as to whether or not the city could charge a fee for these licenses. Mr. Gannon said that any fee would have to be for the city to recoup the costs associated with the licenses, e.g., processing, administration, police monitoring, etc. If the amount of the fee is not appropriate, then it is a tax. Any fees would have to be assessed equally, across the board, i.e., the same license categories must be charged the same fees. Ms. Burke informed the members that Somerville's fees are as follows: \$2,000 for a beer & wine license, \$2,400 for an "all forms" license and \$2,500 for those establishments with 2:00 AM closings, and that they are in line with the fees charged by surrounding communities. She also told the members that the Licensing Commission has in its possession 1 "all forms" license that it can grant with the associated \$2,400 fee.

Alderman Taylor's motion *that the Licensing Commission work with the Finance Director to provide to the Legislative Matters Committee, before its May 8, 2007 meeting, a breakdown of the costs associated with processing, maintaining and regulating each class of liquor license as well as the methods used to arrive at the stated costs* was approved.

Chairman Taylor stated that the record would be left open until the close of business on Friday, May 4th.

No papers were acted on.

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters

COMMITTEE REPORT

Report of the Committee on Legislative Matters,
meeting in joint session with the Licensing
Commission, April 24, 2007

In Board of Aldermen

Clerk